

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

PHE, INC.,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	Case No. 4:12CV02296 HEA
	)	
	)	
DOES 1-96.	)	<b><i>JURY TRIAL DEMANDED</i></b>
	)	
<i>Defendants.</i>	)	
_____	)	

**PLAINTIFF’S MOTION FOR EXTENSION OF TIME TO NAME AND SERVE  
DEFENDANTS PURSUANT TO FED. R. CIV. P. 4(m)**

Plaintiff PHE, Inc. hereby files this Motion for Extension of Time to Name and Serve Defendants Pursuant to Federal Rule of Civil Procedure Rule 4(m). Good cause and reasonable basis exists as to why Plaintiff has not yet named and served the Defendants in this case. First, Plaintiff has not yet received permission from the Court to seek the identifications of the Doe Defendants as requested in its Motion and Memorandum in Support of its Motion for Leave to Take Discovery Prior to Rule 26(f) Conference (Docket Nos. 4,6). Plaintiff cannot identify the Defendant Does by name, and therefore cannot serve them. Second, the Defendants have not been prejudiced by any delay in naming and serving them and will not be prejudiced by an extension.

For the reasons set forth herein and in its Memorandum in Support, Plaintiff requests that the court extend the time by which Plaintiff must name and serve the Defendants in this case an additional 120 days (*i.e.*, 120 days from April 11, 2013).

Dated: April 8, 2013

Respectfully submitted,

SIMMONS BROWDER GIANARIS  
ANGELIDES & BARNERD LLC

By: /s/ Paul A. Lesko  
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Attorney for Plaintiff  
PHE, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2013, I electronically filed the foregoing document via the Court's ECF, electronic email system, upon all of record.

/s/ Paul A. Lesko

Attorney for Plaintiff PHE, Inc.